

REMARKS

Initially, Applicant expresses its appreciation for the courtesy shown by the Examiner in granting and holding an in-person interview with Applicant's counsel on 4 May 2005 where the prior art and the claimed subject matter was discussed.

Claims 1, 8, 11, 14, 16, 17 and 19 have been amended. The claims have been amended to more precisely define the blunt tool and to more precisely define the methods employing the blunt tool. Adequate written descriptive support for these amendments can be found throughout the detailed specification as, for example, on page 7 at paragraph 34. Accordingly, it is respectfully submitted that no new matter has been added to the application by these amendments.

Rejection Under 35 U.S.C. 101

Claims 16-17 were rejected under 35 USC 101 as being directed to non-statutory subject matter. The rejection is traversed and it is respectfully submitted that claims 16-17 comply with 35 USC 101.

Independent claim 16 recites a method directed to making a decorative article comprising the steps of attaching a plurality of tiles and referring to a source of information. It is respectfully submitted that independent claim 16 and dependent claim 17 now fully comply with 35 USC 101. Reconsideration and withdrawal of the rejections are respectfully solicited.

Rejection Under 35 U.S.C. 103

Claims 1-19 were rejected under 35 USC 103(a) as being unpatentable over either Synder (U.S. 3,002,309) or Synder in view of either Yokomizo (U.S. Patent 4,225,641), or Morrison (U.S. Patent 3,770,535). The rejections are traversed and it is respectfully submitted that the claims now pending in the application are patentable within the meaning of 35 U.S.C. § 103(a).

Independent claims 1, 10 and 14 relate to a kit for making a decorative article. The kit comprises at least a support, a plurality of tiles and a blunt tool for handling the plurality of tiles. The blunt tool comprises an elongated shaft which has a tapered portion leading to an end portion for lifting a tile from a releasable sheet. Claims 2-9 and 11-13 and 15 further define features of the kit.

Independent claims 16 and 18 relate to a method of making a decorative article which includes attaching a plurality of tiles using the blunt tool. Dependent claims 17 and 19 further define aspects of the method.

In contrast, none of the cited references suggest or teach the claimed subject matter as a whole. For example, both Snyder and Yokomizo fail to teach or suggest tiles having an area of about $1/8 \text{ in}^2$ to about $1/2 \text{ in}^2$, as required by independent claims 1, 10, 14 and 16. Moreover, neither Snyder nor Yokomizo teach or suggest tiles having an adhesive backing, as required by independent claim 18. Morrison, the reference cited for showing a blunt instrument (tweezers), does not suggest using a blunt tool comprising an elongated shaft having a tapered portion leading to an end portion for lifting a tile from a releasable sheet, let alone the independent claims. Moreover, it is respectfully submitted that there is no basis in the record showing why one of ordinary skill in the art would have been motivated to modify the references to arrive at the claimed subject matter. Accordingly, reconsideration and withdrawal of the rejections are respectfully solicited.

Application No.: 10/763,386

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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